UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Case No.

97-CR-76 (RTR)

Plaintiff,

v.

DERRICK AVERY,

Defendant.

MOTION TO SEAL

The United States of America, by its attorneys, hereby moves the Court to seal the government's motion filed in the above-titled matter on September 14, 2009. As a basis for said motion, the government relies upon the facts set forth in the government's motion filed in the above-titled matter on September 14, 2009.

A proposed order accompanies this motion.

Dated at Milwaukee, Wisconsin this 14th day of September 2009.

Respectfully submitted,

MICHELLE L. JACOBS United States Attorney

By: s/ DANIEL H. SANDERS

DANIEL H. SANDERS OH Bar Number 52077

Assistant United States Attorney

United States Courthouse

517 E. Wisconsin Ave., No. 530

Milwaukee, WI 53202

(414) 297-1700 (414) 297-1738 (Fax)

E-mail: daniel.sanders@usdoj.gov